

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BOURNE VALLEY COURT TRUST,
Plaintiff,
vs.
WELLS FARGO BANK, N.A.,
Defendant. }
} Case No. 2:13-cv-00649-JCM-GWF
} **ORDER**
}

This matter is before the Court on Counter-Defendant The Parks Homeowners Association’s Motion to Stay Case Pending Motion to Dismiss or in the Alternative Extend Discovery Deadlines (ECF No. 99), filed on October 5, 2017. Plaintiff Bourne Valley Court Trust (“Bourne Valley”) filed its Joinder and Non-Opposition (ECF Nos. 100, 101) on October 5, 2017. Also before the Court is Defendant Wells Fargo’s Motion to Stay Discovery and to Extend Dispositive Motion Deadlines (ECF No. 108) and Motion for Order Shortening Time (ECF No. 109), filed on October 23, 2017.

Counter-Defendant The Parks Homeowners Association (“The Parks”) requests that the Court stay discovery pending the resolution of its motion to dismiss (ECF Nos. 83, 90) or, in the alternative, a 90 day extension of discovery. Plaintiff Bourne Valley does not oppose the request to extend discovery. Defendant Wells Fargo Bank, N.A. (“Wells Fargo”) requests a stay of discovery pending the resolution of its motion for judgment on the pleadings (ECF No. 107) as well as an extension of the dispositive motion deadline until 30 days after the Court rules on its motion for judgment on the pleadings. Defendant Wells Fargo represents that The Parks does not oppose its request for a stay. On October 17, 2017, Wells Fargo filed a stipulation to withdraw its

1 counterclaim against the Parks that is currently pending before the District Judge.

2 Upon review and consideration, the Court finds good cause to grant a 90 day extension of
3 discovery. The following discovery plan and scheduling order dates shall apply:

- 4 1. Last date to complete discovery: **January 30, 2018**
- 5 3. Last date to file interim status report: **November 30, 2017**
- 6 4. Last date for The Park's to disclose experts: **November 30, 2017**
- 7 5. Last date to disclose rebuttal experts: **December 30, 2017**
- 8 6. Last date to file dispositive motions: **February 28, 2018**
- 9 7. Last date to file joint pretrial order: **March 28, 2018**. In the event dispositive
10 motions are filed, the date for filing the joint pretrial order shall be suspended until
11 30 days after a decision of the dispositive motions.

12 The Court denies The Parks and Wells Fargo's requests for a stay of discovery pending
13 resolution of their motions. The Court denies Wells Fargo's request for an extension of the
14 dispositive motion deadline until 30 days after the Court rules on its motion for judgment on the
15 pleadings without prejudice. If Wells Fargo's motion for judgment on the pleadings is still pending,
16 it may file a renewed request for an extension of the dispositive motion deadline. Accordingly,

17 **IT IS HEREBY ORDERED** that Counter-Defendant The Parks Homeowners
18 Association's Motion to Stay Case Pending Motion to Dismiss or in the Alternative Extend
19 Discovery Deadlines (ECF No. 99) is **granted**, in part, and **denied**, in part. The Court grants The
20 Park's request for a 90 day extension of discovery and denies its request for a stay of discovery.

21 **IT IS FURTHER ORDERED** that Defendant Wells Fargo's Motion to Stay Discovery and
22 to Extend Dispositive Motion Deadlines (ECF No. 108) is **denied**, without prejudice.

23 **IT IS FURTHER ORDERED** that Defendant Well Fargo's Motion for Order Shortening
24 Time (ECF No. 109) is **denied** as moot.

25 DATED this 25th day of October, 2017.

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27 
GEORGE FOLEY, JR.
United States Magistrate Judge